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UNDER
SEAL**

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Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Eddie Joe Perez**

Case Number: **2:20CR00251**

Name of Sentencing Judicial Officer: **Honorable Richard F. Boulware II**

Date of Original Sentence: **December 2, 2021**

Original Offense: **Felon in Possession of a Firearm, Possession of a Controlled Substance with Intent to Distribute**

Original Sentence: **36 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **July 15, 2022**

Name of Assigned Judicial Officer: **Honorable Richard F. Boulware**

PETITIONING THE COURT

☒ To issue a warrant.

☐ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

Perez submitted positive drug tests of the following dates for the following substances:

July 19, 2022 – methamphetamine

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November 4, 2022 - methamphetamine

November 29, 2022 – methamphetamine and marijuana

December 5, 2022 – Benzodiazepines

2. **Must Report As Instructed** - After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Perez failed to appear as instructed for a scheduled office appointment on November 28, 2022.

3. **Substance Abuse Treatment** – You must participate in an inpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

A) Perez was unsuccessfully discharged from the Westcare In-Patient drug treatment program on November 4, 2022, after he was found to be falsifying a drug test.

B) Perez was unsuccessfully discharged from the New Frontier In-Patient drug treatment program on December 28, 2022.

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **December 28, 2022**



Digitally signed by
Shawn Mummey
Date: 2022.12.28
16:28:30 -08'00'

Shawn Mummey
Senior United States Probation Officer

RE: Eddie Joe Perez

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Approved:



Digitally signed
by Wendy B.
Beckner
Date: 2022.12.28
16:32:21 -08'00'

Joy Gabonia
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



RICHARD F. BOULWARE, II
United States District Judge
December 29, 2022

Date

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. EDDIE JOE PEREZ, 2:20CR00251**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
December 28, 2022**

Perez commenced his term of supervision on July 15, 2022.

As ordered by the court, a placement at the Westcare in-patient treatment program was requested with a bed being available July 21, 2022.

By July 18, 2022, Perez had returned to using methamphetamine. In an effort to address his substance abuse, Perez agreed to attend the detox program offered by Westcare and transition into the in-patient program from there.

Perez entered into the in-patient program as expected on July 21, 2022.

On November 4, 2022, Perez was found to be attempting to falsify a drug test at the facility and was unsuccessfully discharged from the program.

Rather than report to the probation office and take accountability for his actions, Perez absconded from supervision and all attempts to contact him between November 4, 2022 until November 15, 2022 were unsuccessful.

Perez presented himself to probation on November 16, 2022, after being discharged from the Westcare Detox program. Perez requested to enroll in another in-patient program at this time.

Given his interest in treatment, a bed reservation was requested at New Frontier in Fallon, NV. This bed was confirmed for November 29, 2022. Perez was instructed to report back to the probation office on November 28, 2022, to secure his transportation.

Perez failed to appear as instructed on November 28, 2022.

On November 29, 2022, Perez reported to the probation office and requested transportation be purchased for him. Perez was strongly cautioned on his behaviors as it did not appear as though he was taking the opportunities seriously and he had been demonstrating a very carefree attitude, as though there were no consequences to his actions. Additionally, a drug test was collected which indicated a positive screen for marijuana and methamphetamine.

The probation office purchased a bus pass for Perez and the New Frontier facility picked him up in Reno. He was then transported to their facility on November 29, 2022.

On December 21, 2022, the undersigned was contacted by New Frontier regarding Perez's attitude and behavior. New Frontier advised that they were seriously considering removing Perez

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from their program as he was disruptive and inappropriate with female patients and staff. Ultimately New Frontier decided to give Perez one more chance to change his attitude and behavior.

On December 28, 2022, the undersigned received a phone call from Perez, who advised he was being removed from the program due to his behaviors. Perez was provided the address of the U.S. Courthouse in Reno and instructed to report to the probation office there as they would be able to assist with temporary housing until he was able to secure transportation back to Las Vegas.

Currently, Perez has no viable residence in either Las Vegas or Reno. Furthermore, Perez has struggled to maintain contact with his probation officer in the past when he was removed from the Westcare program.

Perez's actions have placed him in a situation where the probation office has no additional means to assist him at this time. Perez has failed in both contracted in-patient treatment programs the probation office has available. Additionally, his drug use has reached the point of mandatory revocation as per 18 U.S.C § 3583(g)(4). For these reasons, it is respectfully recommended that a warrant be issued for Perez's arrest and that revocation proceedings be initiated. Additionally, it is believed that Perez is in fact a danger to the community as well as a risk of non-appearance and should be detained pending his revocation hearing.

Respectfully submitted,



Digitally signed by
Shawn Mummey
Date: 2022.12.28
16:29:17 -08'00'

Shawn Mummey
Senior United States Probation Officer

Approved:



Digitally signed by
Wendy B. Beckner
Date: 2022.12.28
16:34:14 -08'00'

Joy Gabonia
Supervisory United States Probation Officer